

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1 through 12 and 35 through 47 are pending, with Claims 1 and 35 through 40 being independent. Claims 1, 3, and 35 through 40 have been amended. Claims 41 through 47 have been added.

Claims 1 through 9, 11, 12, and 35 through 40 were rejected under 35 U.S.C. § 103 over U.S. Patent No. 5,815,320 (Hoshi, et al.) in view of U.S. Patent No. 6,094,313 (Yamanishi), and further in view of Official Notice. Claim 10 is rejected under 35 U.S.C. § 103 over Hoshi, et al. in view of Yamanishi and Official Notice, and further in view of U.S. Patent No. 5,978,153 (Nishio). All rejections are respectfully traversed.

Claims 1, 35, and 37 through 40 recite, inter alia, that, with first through fourth lens units as recited, the fourth lens unit has a diffractive optical surface located on an object side surface of an optical element of the fourth lens unit (the lens units comprising the zoom lens being only the first through fourth lens units).

Claim 36 recites, inter alia, that, with first through fourth lens units as recited, the first lens unit has a diffractive optical surface located on a surface other than a lens surface closest to the object side of the first lens unit, and the second lens unit has only one lens element, which is a biconcave negative lens element (the lens units comprising the zoom lens being only the first through fourth lens units).

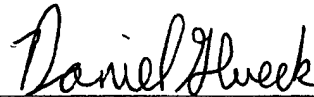
However, Applicant respectfully submits that none of Hoshi, et al., Yamanishi, Nishio, and Official Notice, even in combination, assuming, arguendo, that such could be combined, discloses or suggests at least the above-discussed claimed features as recited, inter alia, in Claims 1 and 35 through 40. Furthermore, the Official Notice is respectfully traversed in the absence of a cited reference, which reference Applicant respectfully requests be provided for his review. MPEP 2144.03. It is further respectfully submitted that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at such claimed features.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in cursive script, reading "Daniel S. Glueck", is written over a horizontal line.

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